

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
CINCINNATI DIVISION**

<b>LUIS ANTONIO AGUILAR</b>	:	<b>Case No. 1:20-mc-42</b>
<b>MARQUINEZ, et al.,</b>	:	
	:	
<b>Plaintiffs</b>	:	
	:	
	:	
<b>vs.</b>	:	
	:	
<b>DOLE FOOD COMPANY INC., et al.,</b>	:	<b>In Re: Subpoena issued in Civil Action 1:12-CV-00695-RGA (pending in United States District Court for the District of Delaware)</b>
	:	
<b>Defendants</b>		

**NON-PARTY THE CINCINNATI ENQUIRER'S MOTION TO QUASH  
SUBPOENA**

Pursuant to Federal Rule of Civil Procedure 45(d)(3)(A)(iii), non-party and Ohio resident The Cincinnati Enquirer, a division of Gannett GP Media, Inc. (“The Enquirer”) respectfully moves this Honorable Court for an order quashing the Subpoena served upon it by the Plaintiffs in the above-captioned action pending in the United States District Court for the District of Delaware.

For the reasons set forth more fully in the accompanying Brief in Support of this Motion, pursuant to the balancing of interests standard recognized by the United States Court of Appeals for the Sixth Circuit, the Subpoena imposes an undue burden on The Enquirer’s newsgathering activities, and is subject to the attorney client and attorney work product privileges. Moreover, the materials are

subject to the privilege afforded by the Ohio Revised Code for newsgathering materials.

Accordingly, The Enquirer respectfully requests that the Court grant this Motion and quash the Subpoena, and award The Enquirer attorneys' fees and costs incurred in connection herewith.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the within and foregoing Motion to Quash Subpoena was served upon counsel of record for Plaintiffs and Defendants via email and first-class mail as follows:

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This 4th day of November, 2020.

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